

Senate Concurrent Resolution No. 1

RESOLUTION CHAPTER 22

Senate Concurrent Resolution No. 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2009–10 Regular Session.

[Filed with Secretary of State May 14, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SCR 1, Oropeza. Joint Rules.

This measure adopts the Joint Rules of the Senate and Assembly for the 2009–10 Regular Session.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following rules be adopted as the Joint Rules of the Senate and Assembly for the 2009–10 Regular Session:

JOINT RULES OF THE SENATE AND ASSEMBLY

Standing Committees

1. Each house shall appoint standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen or chairwomen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of the bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any extraordinary session may not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the committees created by those rules.

Definition of Word “Bill”

4. Whenever the word “bill” is used in these rules, it includes any constitutional amendment, any resolution ratifying a proposed amendment to the United States Constitution, and any resolution calling for a constitutional convention.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions relate to matters connected with the federal government.

Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They may not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

(c) They may not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, subdivisions (a) and (c) of Rule 54, and subdivisions (a) and (b) of Rule 62.

(d) They may not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall indicate the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number is not deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills that are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Digest of Bills Introduced

8.5. A bill may not be introduced unless it is contained in a cover attached by the Legislative Counsel and it is accompanied by a digest, prepared and attached to the bill by the Legislative Counsel, showing the changes in the existing law that are proposed by the bill. A bill may not be printed where the body of the bill or the Legislative Counsel's Digest has been altered, unless the alteration has been approved by the Legislative Counsel. If any bill is presented to the Secretary of the Senate or Chief Clerk of the Assembly for introduction, that does not comply with the foregoing requirements of this rule, the Secretary or Chief Clerk shall return it to the member who presented it. The digest shall be printed on the bill as introduced, commencing on the first page thereof.

Digest of Bills Amended

8.6. Whenever a bill is amended in either house, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, shall request the Legislative Counsel to prepare an amended digest and cause it to be printed on the first page of the bill as amended. The digest shall be amended to show changes in the existing law that are proposed by the bill as amended, with any material changes in the digest indicated by the use of appropriate type.

Errors in Digest

8.7. If a material error in a printed digest referred to in Rule 8.5 or 8.6 is brought to the attention of the Legislative Counsel, he or she shall prepare a corrected digest that shows the changes made in the digest as provided in Rule 10 for amendments to bills. He or she shall deliver the corrected digest to the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. If the correction so warrants in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

Bills Amending Title 9 of the Government Code

8.8. A member who is the first-named author of a bill, that would amend, add, or repeal any provision of Title 9 (commencing with Section 81000) of the Government Code, upon introduction or amendment of the bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. Thereafter, the Chief Clerk of the Assembly or the Secretary of the Senate shall deliver a copy of the bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code.

Bills Amending the California Stem Cell Research and Cures Act

8.9. A member who is the first-named author of a bill, that would amend, add, or repeal any statutory provision of the California Stem Cell Research and Cures Act, other than the bond provisions thereof, upon introduction or amendment of the bill in either house shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. At least 14 days prior to passage in the Assembly or Senate, respectively, the Chief Clerk of the Assembly or the Secretary of the Senate shall make copies of the bill as introduced or amended available in the Bill Room for access by the public and news media.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment, or resolution under consideration. An amendment is not in order when all that would be done to the bill is the addition of a coauthor or coauthors, unless the Committee on Rules of the house in which the amendment is to be offered grants prior approval.

Changes in Existing Law to Be Marked by Author

10. In a bill amending or repealing a code section or a general law, any new matter shall be underlined, and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as “strikeout” type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in “strikeout” type.

In an amendment to a bill that sets out for the first time a section being amended or repealed, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended or repealed was a part of the original bill and was being printed for the first time.

When an entire code is repealed as part of a codification or recodification, or when an entire title, part, division, chapter, or article of a code is repealed, the sections comprising the code, title, part, division, chapter, or article shall not be set forth in the bill or amendment in strikeout type.

Rereferral to Fiscal and Rules Committees

10.5. A bill shall be rereferred to the fiscal committee of each house when it would do any of the following:

- (1) Appropriate money.
- (2) Result in a substantial expenditure of state money.
- (3) Result in a substantial loss of revenue to the state.
- (4) Result in substantial reduction of expenditures of state money by reducing, transferring, or eliminating any existing responsibilities of any state agency, program, or function.

Concurrent and joint resolutions shall be rereferred to the fiscal committee of each house when they contemplate any action that would involve any of the following:

- (1) Any substantial expenditure of state money.
- (2) Any substantial loss of revenue to the state.

The above requirements do not apply to bills or concurrent resolutions that contemplate the expenditure or allocation of operating funds.

A bill that assigns a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be rereferred to the respective rules committees. Before the committee may act upon the bill, it shall obtain from the Joint Legislative Budget Committee an estimate of the amount required to be expended to make the study.

This rule may be suspended in either house as to any particular bill by approval of the Committee on Rules of the house and two-thirds vote of the membership of the house.

Short Title

10.6. A bill may not add a short title that names a current or former Member of the Legislature.

Heading of Bills

10.7. A bill or resolution may be authored only by a member or committee of the house of origin. Members or committees that are not of the house of origin may be “principal coauthors” or “coauthors.” A bill may not indicate in its heading or elsewhere that it was introduced at the request of a state agency or officer or any other person. A bill may not contain the words “By request” or words of similar import.

Consideration of Bills

10.8. The limitation contained in subdivision (a) of Section 8 of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for dispensation entitled “Request to Consider and Act on Bill Within 30 Calendar Days” shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and transmitted to the Committee on Rules of the appropriate house.

(b) The Committee on Rules of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill’s introduction.

(c) If the Committee on Rules recommends that the waiting period be dispensed with, the member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution requires an affirmative recorded vote of three-fourths of the elected members of the house in which the resolution is presented.

Printing of Amendments

11. (a) Any bill amended by either house shall be immediately reprinted. Except as otherwise provided in subdivision (b), if new matter is added by the amendment, the new matter shall be printed in italics in the printed bill; if matter is omitted, the matter to be omitted shall be printed in ~~strikeout~~

type. When a bill is amended in either house, the first or previous markings shall be omitted.

(b) If amendments to a bill, including the report of a committee on conference, are adopted that omit the entire contents of the bill, the matter omitted need not be reprinted in the amended version of the bill. Instead, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, may select the amended bill and cause to be printed a brief statement to appear after the last line of the amended bill identifying which previously printed version of the bill contains the complete text of the omitted matter.

Manner of Printing Bills

12. The State Printer shall observe the directions of the Joint Rules Committee in printing all bills, constitutional amendments, and concurrent and joint resolutions.

Distribution of Legislative Publications

13. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications as may be necessary for legislative requirements.

A complete list of bills may not be delivered except upon payment therefor of the amount fixed by the Joint Rules Committee for any regular or extraordinary session. No more than one copy of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, may be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the Secretary of the Senate, or the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; the Attorney General's office; the Secretary of State's office; the Controller's office; the State Treasurer's office; the Insurance Commissioner's office; the Superintendent of Public Instruction; the State Board of Equalization; the Governor's office; the Lieutenant Governor's office; the Clerk of the Supreme Court; the clerk of the court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress; the libraries of the University of California at Berkeley and at Los Angeles; or accredited members of the press. The State Printer shall fix the cost of the bills and publications, including postage, and moneys as may be received by him or her shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall

be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed may not exceed 2,500.

Legislative Index

13.1. The Legislative Counsel shall provide for the periodic publication of a cumulative Legislative Index, which shall include tables of sections affected by pending legislation. The State Printer shall print the Legislative Index in the quantities, and at the times, determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of that printing shall be paid from the legislative printing appropriation.

Summary Digest

13.3. The Legislative Counsel shall compile and prepare for publication a summary digest of legislation passed at each regular and extraordinary session, which digest shall be prepared in a form suitable for inclusion in the publication of statutes. The digest shall be printed as a separate legislative publication on the order of the Joint Rules Committee, and may be made available to the public in the quantities, and at the prices, determined by the Joint Rules Committee.

Statutory Record

13.5. The Legislative Counsel shall prepare for publication from time to time a cumulative statutory record. The statutory record shall be printed as a legislative publication on the order of the Secretary of the Senate or the Chief Clerk of the Assembly.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print, in the quantities directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Daily Journal of each day's proceedings of each house. At the end of the session he or she shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, a sufficient number of copies properly paged

after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Daily Journal of the respective houses of the Legislature.

What Shall Be Printed in the Daily Journal

15. The following shall be printed in the Daily Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced in, offered to, or acted upon by, the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A Daily File of bills ready for consideration shall be printed each day for each house when the Legislature is not in joint recess, except days when a house does not meet.

Printing of History

17. Each house shall cause to be printed, once each week, a complete Weekly History of all bills, constitutional amendments, and concurrent, joint, and house resolutions originating in, considered by, or acted upon by, the respective houses and committees thereof. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. The Weekly History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. Except for periods when the houses are in joint recess, for each day intervening there shall be printed a Daily History showing the consideration given to or action taken upon any measure since the issuance of the complete Weekly History.

Authority for Printing Orders

18. The State Printer may not print for use of either house, nor charge to legislative printing, any matter other than provided by law or by the rules,

except upon a written order signed by the Secretary of the Senate, on behalf of the Senate, or the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly. Persons authorized to order printing under this rule may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly, are hereby authorized and directed to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering those orders. All bills for printing must be presented by the State Printer within 30 days after the completion of the printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning the bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other, unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. A receipt shall be taken from the officer to whom the message is delivered.

Consent Calendar: Uncontested Bills

22.1. Each standing committee may report an uncontested bill out of committee with the recommendation that it be placed on the Consent Calendar. The Secretary of the Senate and the Chief Clerk of the Assembly shall provide to each committee chairman or chairwoman appropriate forms for that report. As used in this rule, “uncontested bill” means a bill that (a) receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present, (b) has no opposition expressed by any person present at the committee meeting with respect to the final version of the bill as approved by the committee, and (c) prior to final action by the committee, has been requested by the author to be placed on the Consent Calendar.

Consent Calendar

22.2. Following its second reading and the adoption of any committee amendments thereto, any bill certified by the committee chairman or chairwoman as an uncontested bill shall be placed by the Secretary of the Senate or the Chief Clerk of the Assembly on the Consent Calendar, and shall be known as a “Consent Calendar bill.” Any Consent Calendar bill that is amended from the floor shall cease to be a Consent Calendar bill and shall be returned to the Third Reading File. Upon objection of any member to the placement or retention of any bill on the Consent Calendar, the bill shall cease to be a Consent Calendar bill and shall be returned to the Third Reading File. No Consent Calendar bill may be considered for adoption until the second legislative day following the day of its placement on the Consent Calendar.

Consideration of Bills on Consent Calendar

22.3. A bill on the Consent Calendar is not debatable, except that the President of the Senate or the Speaker of the Assembly shall allow a reasonable time for questions from the floor and shall permit a proponent of the bill to answer the questions. Immediately prior to voting on the first bill on the Consent Calendar, the President of the Senate or the Speaker of the Assembly shall call to the attention of the members the fact that the next rollcall will be the rollcall on the first bill on the Consent Calendar.

The Consent Calendar shall be considered as the last order of business on the Daily File.

PASSAGE AND ENROLLING OF BILL

Procedure on Defeat of More Than Majority Bill

23.5. Whenever a bill containing a section or sections requiring for passage an affirmative recorded vote of more than 21 votes in the Senate and more than 41 votes in the Assembly is being considered for passage, and the urgency clause, if the bill is an urgency bill, or the bill, in any case, fails to receive the necessary votes to make all sections effective, further action may not be taken on the bill, except that an amendment to remove all sections requiring the higher vote for passage from the bill shall be in order prior to consideration of further business. If the amendment is adopted, the bill shall be reprinted to reflect the amendment. When the bill is reprinted, it shall be returned to the same place on the file that it occupied when it failed to receive the necessary votes.

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the Secretary of the Senate and Chief Clerk of the Assembly and, except as otherwise provided by these rules, presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Daily Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, and concurrent and joint resolutions, shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Daily Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution that has been passed in one house is amended in the other, it shall immediately be reprinted as amended by the house making the amendment or amendments. One copy of the amendment or amendments shall be attached to the bill or resolution so amended, and endorsed “adopted”; the amendment or amendments, if concurred in by the house in which the bill or resolution originated, shall be endorsed “concurred in”; and the endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be. However, an amendment to the title of a bill adopted after the passage of the bill does not necessitate reprinting, but the amendment must be concurred in by the house in which the bill originated.

Amendments to Concurrent and Joint Resolutions

25.5. When a concurrent or joint resolution is amended, and the only effect of the amendments is to add coauthors, the joint or concurrent resolution may not be reprinted unless specifically requested by one of the added coauthors, but a list of the coauthors shall appear in the Daily Journal and History.

To Concur or Refuse to Concur in Amendments

26. If the Senate amends and passes an Assembly bill, or the Assembly amends and passes a Senate bill, the Senate (if it is a Senate bill) or the Assembly (if it is an Assembly bill) must either “concur” or “refuse to concur” in the amendments. If the Senate concurs (if it is a Senate bill), or the Assembly concurs (if it is an Assembly bill), the Secretary of the Senate or Chief Clerk of the Assembly shall so notify the house making the amendments, and the bill shall be ordered to enrollment.

Reference to Committee

26.5. Pursuant to Rule 26, whenever a bill is returned to its house of origin for a vote on concurrence in an amendment made in the other house, the

Legislative Counsel shall promptly prepare and transmit to the Chief Clerk of the Assembly and the Speaker of the Assembly in the case of an Assembly bill, or to the Secretary of the Senate and Chair of the Senate Committee on Rules in the case of a Senate bill, a brief digest summarizing the effect of the amendment made in the other house. The Secretary or Chief Clerk shall, upon receipt from the Legislative Counsel, cause the digest to be printed in the Daily File immediately following any reference to the bill covered by the digest. A motion to concur or refuse to concur in the amendment is not in order until the Legislative Counsel's Digest has appeared in the Daily File or an analysis of the bill has been prepared and distributed pursuant to Senate Rule 29.8 or Assembly Rule 77.

If the digest discloses that the amendment of the other house has made a substantial substantive change in the bill as first passed by the house of origin, the bill, if it is a Senate bill, shall, on motion of the Chair of the Senate Committee on Rules, be referred to the Senate Committee on Rules for reference to an appropriate standing committee. If the bill is an Assembly bill it shall be referred by the Speaker to the appropriate committee.

Upon receipt of the bill, the committee may, by a vote of a majority of its membership, recommend concurrence or nonconcurrence in the amendment or hold the bill in committee. The committee shall be subject to all the requirements for procedure provided under Rule 62 for committees, other than committees of first referral, and shall be subject to other requirements for normal committee procedure as the Assembly or Senate may separately provide in the standing rules of their respective houses.

Any of the provisions of this rule may be dispensed with regard to a particular bill in its house of origin upon an affirmative vote of a majority of the members of that house.

Concurring in Amendments Adding Urgency Section

27. When a bill that has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency statute, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the membership of the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of the membership of the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of the questions is less than two-thirds of the membership of the house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Rule 28.

When Senate or Assembly Refuses to Concur

28. If the Senate (if it is a Senate bill) or the Assembly (if it is an Assembly bill) refuses to concur in amendments to the bill made by the other house, and the other house has been notified of the refusal to concur, a conference committee shall be appointed for each house in the manner prescribed by these rules. The Senate Committee on Rules, on behalf of the Senate, and the Speaker of the Assembly, on behalf of the Assembly, shall each appoint a committee of three on conference, and the Secretary of the Senate or the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

Committee on Conference

28.1. (a) The Senate Committee on Rules and the Speaker of the Assembly, in appointing a committee on conference, shall each select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

Whether a member has voted with the majority or minority on the point about which the difference has arisen is determined by his or her vote on the appropriate rollcall, as follows:

(1) In the Assembly—

(A) The rollcall on the question of final passage of a Senate bill amended in the Assembly when the Senate has refused to concur with the Assembly amendments.

(B) The rollcall on the question of concurrence with Senate amendments to an Assembly bill.

(2) In the Senate—

(A) The rollcall on the question of final passage of an Assembly bill amended in the Senate when the Assembly has refused to concur with the Senate amendments.

(B) The rollcall on the question of concurrence with Assembly amendments to a Senate bill.

(b) Either house may suspend this rule by a two-thirds vote of the membership of the house.

Meetings and Reports of Committees on Conference

29. The first Senator named on the conference committee shall act as chairman or chairwoman of the committee from the Senate, and the first Member of the Assembly named on the committee shall act as chairman or chairwoman of the committee from the Assembly. The chairman or chairwoman of the committee on conference for the house of origin of the bill shall arrange the time and place of meeting of the conference committee, and shall prepare or direct the preparation of reports. It shall require an affirmative vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. The committee on conference shall report to both the Senate and the Assembly. The report is not subject to amendment. If either house refuses to adopt the report, the conferees shall be discharged and other conferees appointed, except that no more than three different conference committees may be appointed on any one bill. A member who has served on a committee on conference may not be appointed a member of another committee on conference on the same bill. It shall require the same affirmative recorded vote to adopt any conference report as required by the California Constitution upon the final passage of the bill affected by the report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of each house to adopt any conference report affecting any bill that contains an item or items of appropriation that are subject to subdivision (d) of Section 12 of Article IV of the California Constitution. The report of a conference committee shall be in writing, and shall have affixed thereto the signatures of each Senator and each Member of the Assembly consenting to the report. Space shall also be provided where a member of a conference committee may indicate his or her dissent in the committee's findings. Any dissenting member may have attached to a conference committee report a dissenting report which shall not exceed, in length, the majority committee report. A copy of any amendments proposed in the majority report shall be placed on the desk of each member of the house before it is acted upon by the house.

The vote on concurrence or upon the adoption of the conference report shall be deemed the vote upon final passage of the bill.

Conference Committees

29.5. (a) All meetings of any conference committee on the Budget Bill shall be open and readily accessible to the public.

A conference committee on any bill may not meet, consider, or act on the subject matter of the bill except in a meeting that is open and readily accessible to the public, unless the action is on a report determined by the Legislative Counsel to be nonsubstantive. The Legislative Counsel shall examine each proposed report and shall note upon the face of the report that the amendments proposed are "substantive" or "nonsubstantive" as the case may be.

The chairman or chairwoman of the conference committee of each house shall give notice to the File Clerk of their respective houses of the time and place of the meeting. Notice of each public meeting shall be published in the Daily File of each house one calendar day prior to the meeting, except that the notice is not required for a meeting of a conference committee on the Budget Bill. When this subdivision is waived with respect to a meeting of any public conference committee, or when there is a meeting of a conference committee on the Budget Bill, every effort shall be made to inform the public that a meeting has been called. When this subdivision has been waived with respect to the meeting of any public conference committee, the chairman or chairwoman of the conference committee of each house shall immediately notify the chairman or chairwoman of the policy committee of their respective houses that considered the bill in question of the waiver, and of the time and place of the meeting.

(b) The first committee on conference of the Budget Bill, if a committee is appointed, shall submit its report to each house no later than 15 days after the Budget Bill has been passed by both houses. If the report is not submitted by that date, the conference committee shall be deemed to have reached no agreement and shall so inform each house pursuant to Rule 30.7.

(c) A committee on conference of the Budget Bill may consider only differences between the Assembly version of the Budget Bill as passed by the Assembly and the Senate version of the Budget Bill as passed by the Senate, and may not approve any item of expenditure or control that exceeds that contained in one of the two versions before the conference committee.

(d) A conference committee on any bill, other than the Budget Bill, may not approve any substantial financial provision in any bill if the financial provision has not been heard by the fiscal committee of each house, nor may any conference committee approve substantial policy changes that have not been heard by the policy committee of each house.

(e) A waiver of the one-calendar-day Daily File notice requirement of subdivision (a) is not effective for longer than three calendar days.

Conference Committee Reports

30. Upon submission of any report of a committee on conference recommending that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference is not in order until the bill, in the form recommended by the report of the committee on conference, has both been in print and been noticed in the Daily File for not less than one legislative day.

If the conference committee's report recommends only that the amendments of the Senate or the Assembly "be concurred in," consideration of the report shall be in order at any time, and reprinting of the bill is not

required, but notice shall appear in the Daily File for not less than one legislative day.

A conference committee report is not in order unless it has been received by the Secretary of the Senate and the Chief Clerk of the Assembly at least three calendar days preceding the scheduled commencement of the summer, interim, or final recess of the Legislature.

This rule may be suspended as to any particular conference committee report by a two-thirds vote of the membership of either house.

This rule does not apply to a report of a committee on conference on the Budget Bill.

Conference Committee Reports on Urgency Statutes

30.5. When the report of a committee on conference recommends the amendment of a bill by the addition of a section providing that the act shall take effect immediately as an urgency statute, the procedure and the vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the presiding officer shall then direct that the question of whether the house shall adopt the report of the committee on conference shall be put to a vote. If two-thirds of the members elected to the house vote in the affirmative, the adoption of the report and the amendments proposed thereby shall be effective.

If the affirmative vote on either of the questions is less than two-thirds of the members elected to the house, the effect is a refusal to adopt the report of the committee on conference.

Failure to Agree on Report

30.7. A conference committee may find and determine that it is unable to submit a report to the respective houses, upon the affirmative vote to that effect of not less than two of the Assembly Members and not less than two of the Senate Members constituting the committee. That finding may be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate in the form of a letter from the chairman or chairwoman of the committee on conference for the house of origin of the bill, containing the signatures of the members of the committee consenting to the finding and determination that the committee is unable to submit a report. The Chief Clerk of the Assembly and the Secretary of the Senate, upon being notified that a conference committee is unable to submit a report, shall so inform each house, whereupon the conferees shall be discharged and other conferees appointed, in accordance with Rule 29.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses that are not covered by these rules shall be governed by Mason's Manual.

Press Rules

32. (a) Any person desiring privileges of an accredited press representative shall make application to the Joint Rules Committee. The application shall constitute compliance with any provisions of the rules of the Assembly or the Senate with respect to registration of news correspondents. The application shall state in writing the name of any print or electronic periodic news publication, news association, or radio or television station that employs the press representative, and any other occupations or employment he or she may have. The press representative shall further declare in the application that he or she is not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation, or association, and will not become so employed while retaining the privilege of an accredited press representative.

(b) The application required by subdivision (a) of this rule shall be authenticated in a manner that is satisfactory to the Standing Committee of the Capitol Correspondents Association, which shall see that occupation of seats and desks in the Senate and the Assembly Chambers is confined to bona fide correspondents of reputable standing in their business, who represent news media identified in subdivision (a). It is the duty of the standing committee, at its discretion, to report any violation of accredited press privileges to the Speaker of the Assembly or the Senate Committee on Rules and, pending action thereon, the offending correspondent may be suspended by the standing committee.

(c) Except as otherwise provided in this subdivision, persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to news associations requiring telegraphic, radio, television, or electronic service are not entitled to the privileges accorded accredited press representatives. The press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list of only those persons authenticated by the Standing Committee of the Capitol Correspondents Association. Accreditation may be granted to any bona fide correspondent of reputable standing employed by a periodic publication of general circulation if the applicant is employed on a regular basis in the

Capitol area preparing articles dealing with state government and politics and the publication is not an organ or organization involved in legislative advocacy.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President pro Tempore of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with this rule.

(e) An accredited member of the Capitol Correspondents Association may not, for compensation, perform any service for state constitutional officers or members of their staffs, for state agencies, for the Legislature, for candidates for state office, for a state officeholder, or for any person registered or performing as a legislative advocate.

(f) An accredited member of the association who violates subdivision (a) or (e) of this rule shall be subject to the following penalties:

(1) For the first offense, the Standing Committee of the Capitol Correspondents Association shall send a letter of admonition to the offending member, his or her employer, and the Joint Rules Committee. The letter shall state the nature of the member's rule violation and shall warn of an additional penalty for a second offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he or she lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an inquiry to determine if an association member has violated subdivision (a) or (e) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made.

Upon receipt of a signed, written notice from any association member of his or her belief that another association member may have violated subdivision (a) or (e) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation.

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has violated an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership. If the member makes that request, the Standing Committee of the Capitol Correspondents Association shall promptly schedule a meeting at the earliest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol Correspondents Association. If nullification does not occur, the Standing

Committee of the Capitol Correspondents Association immediately shall impose the appropriate penalty.

Dispensing With Joint Rules

33. A joint rule may not be dispensed with except by a vote of two-thirds of each house or as otherwise provided in these rules. If either house violates a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of the house. If it is decided that the joint rules have been violated, the bill involving the violation shall be returned to the house in which it originated, and the disputed matter shall be considered in like manner as in conference committee.

Dispensing with Joint Rules: Unanimous Consent

33.1. Notwithstanding any other rule, a joint rule that may be dispensed with by one house may be done so by unanimous consent if the rules committee of that house has approved.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues a written opinion to any person other than the first-named author analyzing the constitutionality, operation, or effect of a bill or other legislative measure that is then pending before the Legislature or of any amendment made or proposed to be made to the bill or measure, he or she is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests. A copy of any letter prepared by the Legislative Counsel for the sole purpose of advising a member of a conflict between two or more bills as to the sections of law being amended, repealed, or added shall be submitted to the chairman or chairwoman of the committee to which each bill has been referred.

Resolutions Prepared by Legislative Counsel

34.1. Whenever the Legislative Counsel has been requested to draft a resolution commemorating or taking note of any event, or a resolution

congratulating or expressing sympathy toward any person, and subsequently receives a similar request from another Member of the Legislature, he or she shall inform that requester and each subsequent requester that a resolution is being, or has been, prepared, and shall inform them of the name of the member for whom the resolution was, or is being, prepared.

Resolutions

34.2. A concurrent resolution, Senate resolution, or House resolution may be introduced to memorialize the death of a present or former state or federal elected official or a member of his or her immediate family. In all other instances, a resolution other than a concurrent resolution, as specified by the Committee on Rules of each house, or as provided by the Joint Rules Committee in those cases requiring that the resolution should emanate from both houses, shall be used for the purpose of commendation, congratulation, sympathy, or regret with respect to any person, group, or organization.

A concurrent resolution requesting the Governor to issue a proclamation may not be introduced without the prior approval of the Committee on Rules of the house in which the resolution is to be introduced.

Identical Drafting Requests

34.5. Whenever it comes to the attention of the Legislative Counsel that a member has requested the drafting of a bill that will be substantially identical to one already introduced, the Legislative Counsel shall inform the member of that fact.

Expense of Members

35. As provided in Section 8902 of the Government Code, each Member of the Legislature is entitled to reimbursement for living expenses while required to be in Sacramento to attend a session of the Legislature, while traveling to and from or in attendance at a committee meeting, or while attending to any legislative function or responsibility as authorized or directed by legislative rules or the Committee on Rules of the house of which he or she is a member, at the same rate as may be established by the State Board of Control for other elected state officers. Each member shall be reimbursed for travel expenses incurred in traveling to and from a session of the Legislature, when traveling to and from a meeting of a committee of which he or she is a member, or when traveling pursuant to any other legislative function or responsibility as authorized or directed by legislative

rules or the Committee on Rules of the house of which he or she is a member, at the rate prescribed by Section 8903 of the Government Code.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly Committee on Rules, on behalf of the Assembly, weekly or as otherwise directed by either house, and upon certification the Controller shall draw his or her warrants in payment of the allowances to the respective members.

Issuance of Subpoenas

35.5. A subpoena requiring the attendance of a witness or the production of documents may be issued by the Senate Committee on Rules, the Speaker of the Assembly, or the chairman or chairwoman of a committee conducting an investigation only if permission has been secured from the rules committee of the respective house, or from the Joint Rules Committee if the subpoena is issued by the chairman or chairwoman of a joint committee.

Investigating Committees

36. In order to expedite the work of the Legislature, either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee pursuant to this rule shall state the purpose of the committee and the scope of the subject concerning which it is to act, and may authorize it to act either during sessions of the Legislature or, when authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may employ clerical, legal, and technical assistants as may be authorized by: (a) the Joint Rules Committee in the case of a joint committee, (b) the Senate Committee on Rules in the case of a Senate committee, or (c) the Assembly Committee on Rules in the case of an Assembly committee.

Except as otherwise provided herein for joint committees or by the rules of the Senate or the Assembly for single house committees, each committee may adopt and amend rules governing its procedure as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. The rules may include provisions fixing the quorum of the committee and the number of votes necessary to take action on any matter. With respect to all joint committees, a majority of the membership from each house

constitutes a quorum, and an affirmative vote of a majority of the membership from each house is necessary for the committee to take action.

Each committee is authorized and empowered to summon and subpoena witnesses, to require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. A committee's issuance of a subpoena shall comply with Rule 35.5.

Each member of the committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, apply to the committees. A committee may grant a witness immunity from criminal prosecution, pursuant to subdivision (a) of Section 9410 of the Government Code, only after securing permission from the rules committee of the respective house, or from the Joint Rules Committee in the case of a joint committee.

The Sergeant at Arms of the Senate or Assembly, or other person as may be designated by the chairman or chairwoman of the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so by the chairman or chairwoman, or by a majority of the membership of the committee.

Every department, commission, board, agency, officer, and employee of the state government, including the Legislative Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this state, shall give and furnish to these committees and to their subcommittees upon request information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each committee was created.

Each committee or subcommittee of either house, in accordance with the rules of that respective house, and each joint committee or subcommittee thereof, may meet at any time during the period in which it is authorized to act, either at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or accomplish the objects and purposes of the resolution creating it, subject to the following exceptions:

(a) When the Legislature is in session:

(1) A committee or subcommittee of either house may not meet outside the State Capitol without the prior approval of the Senate Committee on Rules with respect to Senate committees and subcommittees, or the Speaker of the Assembly with respect to Assembly committees and subcommittees.

(2) A committee or subcommittee of either house, other than a standing committee or subcommittee thereof, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto. This requirement may be waived by a majority vote of either house with respect to a particular bill.

(3) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet outside the State Capitol without the prior approval of the Joint Rules Committee.

(4) A joint committee or subcommittee thereof, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, may not meet unless notice of the meeting has been printed in the Daily File for four days prior thereto.

(b) When the Legislature is in joint recess, each joint committee or subcommittee, other than the Joint Committees on Legislative Audit, Legislative Budget, and Rules, shall notify the Joint Rules Committee at least two weeks prior to a meeting.

(c) The requirements placed upon joint committees by subdivisions (a) and (b) of this rule may be waived as deemed necessary by the Joint Rules Committee.

Each committee may expend such money as is made available to it for its purpose, but a committee may not incur any indebtedness unless money has been first made available therefor.

Living expenses may not be allowed in connection with legislative business for a day on which the member receives reimbursement for expenses while required to be in Sacramento to attend a session of the Legislature. The chairman or chairwoman of each committee shall audit and approve the expense claims of the members of the committee, including claims for mileage in connection with attendance on committee business, or in connection with specific assignments by the committee chairman or chairwoman, but excluding other types of mileage, and shall certify the amount approved to the Controller. The Controller shall draw his or her warrants upon the certification of the chairman or chairwoman.

Subject to the rules of each house for the respective committees of each house, or the joint rules for any joint committee, with the permission of the appointing authority of the respective house, or the permission of the appointing authorities of the two houses in the case of a joint committee, the chairman or chairwoman of any committee may appoint subcommittees and chairmen or chairwomen thereof for the purpose of more expeditiously handling and considering matters referred to it, and the subcommittees and the chairmen or chairwomen thereof shall have all the powers and authority herein conferred upon the committee and its chairman or chairwoman. The chairman or chairwoman of a subcommittee shall audit the expense claims of the members of the subcommittee, and other claims and the expenses incurred by it, and shall certify the amount thereof to the chairman or chairwoman of the committee, who shall, if he or she approves the same, certify the amount thereof to the Controller; the Controller shall draw his or her warrant therefor upon that certification, and the Treasurer shall pay the same. Any committee or subcommittee thereof that is authorized to leave the State of California in the performance of its duties shall, while out of the state, have the same authority as if it were acting and functioning within the state, and the members thereof shall be reimbursed for expenses.

Notwithstanding any other provision of this rule, if the standing rules of either house require that expense claims of committees for goods or services, pursuant to contracts, or for expenses of employees or members of committees be audited or approved, after approval of the committee chairman or chairwoman, by another agency of either house, the Controller shall draw his or her warrants only upon the certification of the other agency. All expense claims approved by the chairman or chairwoman of any joint committee, other than the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be approved by the Joint Rules Committee, and the Controller shall draw his or her warrants only upon the certification of the Joint Rules Committee.

Except salary claims of employees clearly subject to federal withholding taxes and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

Expenses of Committee Employees

36.1. Unless otherwise provided by respective house or committee rule or resolution, employees of legislative committees, when entitled to traveling expenses, are entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the State Board of Control from time to time in limitation of reimbursement of expenses of state employees generally. However, if an allowance for hotel accommodations, breakfast, lunch, and dinner is made by a committee at a rate in excess of the rate fixed by the State Board of Control, the chairman or chairwoman of the committee shall notify the Controller of that fact in writing.

Appointment of Committees

36.5. This rule applies whenever a joint committee is created by a statute or resolution that either provides that appointments be made and vacancies be filled in the manner provided for in the Joint Rules, or makes no provision for the appointment of members or the filling of vacancies.

The Senate members of the committee shall be appointed by the Senate Committee on Rules; the Assembly members of the committee shall be appointed by the Speaker of the Assembly; and vacancies occurring in the membership of the committee shall be filled by the respective appointing powers. The members appointed shall hold over until their successors are regularly selected.

Appointment of Joint Committee Chairmen or Chairwomen

36.7. The chairman or chairwoman of each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall be appointed by the Joint Rules Committee from a member or members recommended by the Senate Committee on Rules and the Speaker of the Assembly.

Joint Committee Funds

36.8. Each joint committee heretofore or hereafter created, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, shall expend the funds heretofore or hereafter made available to it in compliance with the policies set forth by the Joint Rules Committee with respect to personnel, salaries, purchasing, office space assignment, contractual services, rental or lease agreements, travel, and any and all other matters relating to the management and administration of committee affairs.

Joint Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there is a joint committee to be known as the Joint Legislative Budget Committee, which is hereby declared to be a continuing body.

It is the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the state, and the organization and functions of the state and its departments, subdivisions, and agencies, with a view to reducing the cost of the state government and securing greater efficiency and economy.

The committee consists of eight Members of the Senate and eight Members of the Assembly. The Senate members of the committee shall be appointed by the Senate Committee on Rules. The Assembly members of the committee shall be appointed by the Speaker of the Assembly. The committee shall select its own chairman or chairwoman.

Any vacancy occurring at any time in the Senate membership of the Joint Legislative Budget Committee shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he or she is not reelected at the general election.

Any vacancy occurring at any time in the Assembly membership of the Joint Legislative Budget Committee shall be filled by appointment by the

Speaker of the Assembly, and the Members of the Assembly appointed shall hold over between regular sessions until their successors are regularly selected. For the purposes of this rule, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he or she is not reelected at the general election.

The committee may adopt rules to govern its own proceedings and its employees. The committee, with the permission of the appointing authorities of the two houses, may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation, or hearing that the committee itself has authority to undertake or hold. A subcommittee for the purpose of this assignment has and may exercise all the powers conferred upon the committee, limited only by the express terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Those powers may be withdrawn or terminated at any time by the committee.

The Joint Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Joint Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Joint Legislative Budget Committee of the cost of the services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter into those contracts with the Joint Legislative Budget Committee. Money received by the Joint Legislative Budget Committee pursuant to any agreement shall be in augmentation of the current appropriation for the support of the Joint Legislative Budget Committee.

The provisions of Rule 36 shall apply to the Joint Legislative Budget Committee, which has all the authority provided in that rule or pursuant to Section 11 of Article IV of the California Constitution.

The committee has authority to appoint a Legislative Analyst, to fix his or her compensation, to prescribe his or her duties, and to appoint any other clerical and technical employees as may appear necessary. The duties of the Legislative Analyst are as follows:

(1) To ascertain the facts and make recommendations to the Joint Legislative Budget Committee and, under its direction, to the committees of the Legislature concerning:

- (a) The State Budget.
- (b) The revenues and expenditures of the state.
- (c) The organization and functions of the state and its departments, subdivisions, and agencies.

(2) To assist the Senate Committee on Appropriations, the Senate Budget and Fiscal Review Committee, and the Assembly Committees on Appropriations and Budget in consideration of the Budget, all bills carrying express or implied appropriations, and all legislation affecting state departments and their efficiency; to appear before any other legislative committee; and to assist any other legislative committee upon instruction by the Joint Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Joint Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Analyst under the direction of the Joint Legislative Budget Committee, and to keep and make available all documents, data, and reports submitted to him or her by any Senate, Assembly, or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The chairman or chairwoman of the committee or, in the event of that person's inability to act, the vice chairman or vice chairwoman, shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee. The chairman or chairwoman shall certify to the Controller the expense amount approved, the Controller shall draw his or her warrants upon the certification of the chairman or chairwoman, and the Treasurer shall pay the same to the chairman or chairwoman of the committee, to be disbursed by the chairman or chairwoman.

On and after the commencement of a succeeding regular session, those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel, and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Analyst for use and custody all documents, data, reports, and other materials that have come into the possession of the committee and that are not included within the final report of the committee to the Assembly, Senate, or the Legislature, as the case may be. The documents, data, reports, and other materials shall be available, upon request, to Members of the Legislature, the Senate Office of Research, and the Assembly Office of Research.

The Legislative Analyst, with the consent of the committee, shall make available to any Member or committee of the Legislature any other reports, records, documents, or other data under his or her control, except that reports prepared by the Legislative Analyst in response to a request from a Member or committee of the Legislature may be made available only with the written permission of the member or committee who made the request.

The Legislative Analyst, upon the receipt of a request from any committee or Member of the Legislature to conduct a study or provide information that falls within the scope of his or her responsibilities and that concerns the administration of the government of the State of California, shall at once advise the Joint Legislative Budget Committee of the nature of the request without disclosing the name of the member or committee making the request.

The Legislative Analyst shall immediately undertake to provide the requesting committee or legislator with the service or information requested, and shall inform the committee or legislator of the approximate date when this information will be available. Should there be any material delay, he or she shall subsequently communicate this fact to the requester.

Neither the Committee on Rules of either house nor the Joint Rules Committee may assign any matter for study to the Joint Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

Any concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Budget Committee or to the Legislative Analyst shall be referred to the respective rules committees. Before the committees may act upon or assign the resolution, they shall obtain an estimate from the Joint Legislative Budget Committee of the amount required to be expended to make the study.

Citizen Cost Impact Report

37.1. Any Member or committee of the Legislature may recommend that the Legislative Analyst prepare a citizen cost impact analysis on proposed legislation. However, the recommendation shall first be reviewed by the Committee on Rules of the house where the recommendation originated, and this committee shall make the final determination as to which bills shall be assigned for preparation of an impact analysis.

In selecting specific bills for assignment to the Legislative Analyst for preparation of citizen cost impact analyses, the Committee on Rules shall request the Legislative Analyst to present an estimate of his or her time and prospective costs for preparing the analyses. Only those bills that have a potential significant cost impact shall be assigned. Where necessary, the Committee on Rules shall provide funds to offset added costs incurred by the Legislative Analyst.

The citizen cost impact analyses shall include those economic effects that the Legislative Analyst deems significant and that he or she believes will result directly from the proposed legislation. Insofar as feasible, the economic effects considered by the Legislative Analyst shall include, but not be limited to, the following:

- (a) The economic effect on the public generally.
- (b) Any specific economic effect on persons or businesses in the case of legislation that is regulatory.

The Legislative Analyst shall submit the citizen cost impact analyses to the committee or committees when completed, and at the time or times designated by the Committee on Rules.

The Legislative Analyst shall submit from time to time, but at least once a year, a report to the Legislature on the trends and directions of the state's

economy, and shall list the alternatives and make recommendations as to legislative actions that, in his or her judgment, will ensure a sound and stable state economy.

Joint Legislative Audit Committee

37.3. The Joint Legislative Audit Committee is created pursuant to the Legislature's rulemaking authority under the California Constitution, and pursuant to Chapter 4 (commencing with Section 10500) of Part 2 of Division 2 of Title 2 of the Government Code. The committee consists of seven Members of the Senate and seven Members of the Assembly, who shall be selected in the manner provided for in these rules. Notwithstanding any other provision of these rules, four members from each house constitute a quorum of the Joint Legislative Audit Committee and the number of votes necessary to take action on any matter. The Chairman or Chairwoman of the Joint Legislative Audit Committee, upon receiving a request by any Member of the Legislature or committee thereof for a copy of a report prepared or being prepared by the Bureau of State Audits, shall provide the member or committee with a copy of the report when it is, or has been, submitted by the Bureau of State Audits to the Joint Legislative Audit Committee.

Study or Audits

37.4. (a) Notwithstanding any other provision of law, the Joint Legislative Audit Committee shall establish priorities and assign all work to be done by the Bureau of State Audits.

(b) Any bill requiring action by the Bureau of State Audits shall contain an appropriation for the cost of any study or audit.

(c) Any bill or concurrent, joint, Senate, or House resolution assigning a study to the Joint Legislative Audit Committee or to the Bureau of State Audits shall be referred to the respective rules committees. Before the committees may act upon or assign the bill or resolution, they shall obtain an estimate from the Joint Legislative Audit Committee of the amount required to be expended to make the study.

Waiver

37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint Legislative Audit Committee. The chairman or chairwoman of the committee shall notify the Secretary of the Senate, the Chief Clerk of the Assembly, and the

Legislative Counsel in writing when subdivision (b) of Rule 37.4 has been waived. If the cost of a study or audit is less than one hundred thousand dollars (\$100,000), the chairman or chairwoman of the committee may exercise the committee's authority to waive subdivision (b) of Rule 37.4.

Administrative Regulations

37.7. (a) Any Member of the Senate may request the Senate Committee on Rules, and any Member of the Assembly may request the Speaker of the Assembly, to direct a standing committee or the Office of Research of his or her respective house to study any proposed or existing regulation or group of related regulations. Upon receipt of a request, the Senate Committee on Rules or the Speaker of the Assembly shall, after review, determine whether a study shall be made. In reviewing the request, the Senate Committee on Rules or the Speaker of the Assembly shall determine:

- (1) The cost of making the study.
- (2) The potential public benefit to be derived from the study.
- (3) The scope of the study.
- (b) The study may consider, among other relevant issues, whether the proposed or existing regulation:
 - (1) Exceeds the agency's statutory authority.
 - (2) Fails to conform to the legislative intent of the enabling statute.
 - (3) Contradicts or duplicates other regulations adopted by federal, state, or local agencies.
 - (4) Involves an excessive delegation of regulatory authority to a particular state agency.
 - (5) Unfairly burdens particular elements of the public.
 - (6) Imposes social or economic costs that outweigh its intended benefits to the public.
 - (7) Imposes unreasonable penalties for violation.

The respective reviewing unit shall, in a timely manner, transmit its concerns, if any, to the Senate Committee on Rules or the Speaker of the Assembly, and the promulgating agency.

In the event that a state agency takes a regulatory action that the reviewing unit finds to be unacceptable, the unit shall file a report for publication in the Daily Journal of its respective house indicating the specific reasons why the regulatory action should not have been taken. The report may include a recommendation that the Legislature adopt a concurrent resolution requesting the state agency to reconsider its action or that the Legislature enact a statute to restrict the regulatory powers of the state agency taking the action.

Joint Rules Committee

40. The Joint Rules Committee is hereby created. The committee has a continuing existence and may meet, act, and conduct its business during sessions of the Legislature or any recess thereof.

The committee consists of the members of the Assembly Committee on Rules, the Assembly Majority Floor Leader, the Assembly Minority Floor Leader, the Speaker of the Assembly, four members of the Senate Committee on Rules, and as many Members of the Senate as may be required to maintain equality in the number of Assembly Members and Senators on the committee, to be appointed by the Senate Committee on Rules. Vacancies occurring in the membership shall be filled by the appointing power.

The committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

The committee shall ascertain facts and make recommendations to the Legislature and to the houses thereof concerning:

- (a) The relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.
- (b) The legislative branch of the state government and any defects or deficiencies in the law governing that branch.
- (c) Methods whereby legislation is proposed, considered, and acted upon.
- (d) The operation of the Legislature and the committees thereof, and the means of coordinating the work thereof and avoiding duplication of effort.
- (e) Aids to the Legislature.
- (f) Information and statistics for the use of the Legislature, the respective houses thereof, and the members.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is not in recess, and shall be referred to the committee for action if the Legislature is in recess.

The committee has the following additional powers and duties:

- (a) To select a chairman or chairwoman from its membership. The vice chairman or vice chairwoman of the committee shall be one of the Senate members of the committee, to be selected by the Senate Committee on Rules.
- (b) To allocate space in the State Capitol Building and all annexes and additions thereto as provided by law.
- (c) To approve, as provided by law, the appearance of the Legislative Counsel in litigation.
- (d) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the committee as the committee deems necessary to assist it to carry out the purposes for which it is created.
- (e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter

within the scope of this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the committee.

(f) To report its findings and recommendations, including recommendations for the needed revision of any and all laws and constitutional provisions relating to the Legislature, to the Legislature and to the people from time to time.

(g) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and are authorized to leave the state in the performance of their duties.

(h) To expend funds as may be made available to it to carry out the functions and activities related to the legislative affairs of the Senate and Assembly.

(i) To appoint a chief administrative officer of the committee, who shall have duties relating to the administrative, fiscal, and business affairs of the committee as the committee shall prescribe. The committee may terminate the services of the chief administrative officer at any time.

(j) To employ persons as may be necessary to assist all other joint committees, except the Joint Legislative Budget Committee and the Joint Legislative Audit Committee, in the exercise of their powers and performance of their duties. In accordance with Rule 36.8, the committee shall govern and administer the expenditure of funds by other joint committees, requiring that the claims of joint committees be approved by the Joint Rules Committee or its designee. All expenses of the committee and of all other joint committees may be paid from the Operating Funds of the Assembly and Senate.

(k) To appoint the chairmen or chairwomen of joint committees, as authorized by Rule 36.7.

(l) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

The members of the Joint Rules Committee from the Senate may meet separately as a unit, and the members of the Joint Rules Committee from the Assembly may meet separately as a unit, and consider any action that is required to be taken by the Joint Rules Committee. If the majority of members of the Joint Rules Committee of each house at the separate meetings vote in favor of that action, the action shall be deemed to be action taken by the Joint Rules Committee.

The Joint Rules Committee shall meet not less than biweekly during a session of the Legislature, other than during a joint recess, at a regularly scheduled time and place. If the full committee fails to so meet, the members of the committee from the Senate shall meet separately as a unit and the members of the committee from the Assembly shall meet separately as a unit within five days of the regularly scheduled meeting date.

The committee succeeds to, and is vested with, all of the powers and duties of the Joint Committee on Legislative Organization, the State Capitol Committee, the Joint Committee on Interhouse Cooperation, the Joint

Legislative Committee for School Visitations, and the Joint Standing Committee on the Joint Rules of the Senate and the Assembly.

Review of Administrative Regulations

40.1. The Joint Rules Committee, with regard to joint committees, and the respective rules committee of each house, with regard to standing and select committees of the house, shall approve any request for a priority review made by a committee pursuant to Section 11349.7 of the Government Code and shall submit approved requests to the Office of Administrative Law. The Joint Rules Committee or the respective rules committee, and the committee initiating the request, shall each receive a copy of the priority review.

Subcommittee on Legislative Space and Facilities

40.3. (a) A subcommittee of the Joint Rules Committee is hereby created, to be known as the Subcommittee on Legislative Space and Facilities. The subcommittee consists of three Members of the Senate and three Members of the Assembly, appointed by the Chairman or Chairwoman of the Joint Rules Committee, and the chairman or chairwoman of the fiscal committee of each house who shall have full voting rights on the subcommittee. The chairman or chairwoman of the subcommittee shall be appointed by the members thereof. For purposes of this subcommittee, the chairmen or chairwomen of the fiscal committees are ex officio members of the Joint Rules Committee, but do not have voting rights on that committee, nor may they be counted in determining a quorum. The subcommittee shall consider the housing of the Legislature and legislative facilities.

(b) The subcommittee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this subcommittee and its members.

(c) The subcommittee has the following additional powers and duties:

(1) To contract with other agencies, public or private, for the rendition and affording of services, facilities, studies, and reports to the subcommittee as the committee deems necessary to assist it to carry out the purposes for which it is created.

(2) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this rule, and to direct the sheriff of any county to serve subpoenas, orders, and other process issued by the subcommittee.

(3) To report its findings and recommendations to the Legislature and to the people from time to time.

(4) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this rule.

(d) The subcommittee is authorized to leave the State of California in the performance of its duties.

Claims for Workers' Compensation

41. The Chairman or Chairwoman of the Committee on Rules of each house, or a designated representative, shall sign any required worker's compensation report regarding injuries or death arising out of and within the course of employment suffered by any member, officer, or employee of the house, or any employee of a standing or investigating committee thereof. In the case of a joint committee, the Chairman or Chairwoman of the Committee on Rules of either house, or a designated representative, may sign any report with respect to a member or employee of a joint committee.

Information Concerning Committees

42. The Committee on Rules of each house shall provide for a continuous cumulation of information concerning the membership, organization, meetings, and studies of legislative investigating committees. Each Committee on Rules shall be responsible for information concerning the investigating committees of its own house, and concerning joint investigating committees under a chairman or chairwoman who is a member of that house. To the extent possible, each Committee on Rules shall seek to ensure that the investigating committees for which it has responsibility under this rule have organized, including the organization of any subcommittees, and have had all topics for study assigned to them within a reasonable period of time.

The information thus cumulated shall be made available to the public by the Committee on Rules of each house and shall be published periodically under their joint direction.

Joint Committees

43. Any concurrent resolution creating a joint committee of the Legislature and any concurrent resolution allocating moneys from the Operating Funds of the Assembly and Senate to the committee shall be referred to the Committee on Rules of the respective houses.

Conflict of Interest

44. (a) A Member of the Legislature may not, while serving, have any interest, financial or otherwise, direct or indirect, engage in any business or transaction or professional activity, or incur any obligation of any nature, that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state.

(b) A Member of the Legislature may not, during the term for which he or she was elected:

(1) Accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties, or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

(2) Willfully and knowingly disclose, for pecuniary gain, to any other person, confidential information acquired by him or her in the course of and by reason of his or her official duties, or use the information for the purpose of pecuniary gain.

(3) Accept or agree to accept, or be in partnership with any person who accepts or agrees to accept, any employment, fee, or other thing of value, or portion thereof, in consideration of his or her appearance, agreeing to appear, or taking of any other action on behalf of another person regarding a licensing or regulatory matter, before any state board or agency that is established by law for the primary purpose of licensing or regulating the professional activity of persons licensed, pursuant to state law.

This rule does not prohibit a member who is an attorney at law from practicing in that capacity before the Workers' Compensation Appeals Board or the Commissioner of Corporations, and receiving compensation therefor, or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any state or federal court. This rule does not prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof. The prohibition contained in this rule does not apply to a partnership in which a Member of the Legislature is a member if the Member of the Legislature does not share directly or indirectly in the fee resulting from the transaction, nor does it apply in connection with any matter pending before any state board or agency on the operative date of this rule if the affected Member of the Legislature is attorney of record or representative in the matter prior to the operative date.

(4) Receive or agree to receive, directly or indirectly, any compensation, reward, or gift from any source except the State of California for any service, advice, assistance, or other matter related to the legislative process, except

fees for speeches or published works on legislative subjects and except, in connection therewith, the reimbursement of expenses for actual expenditures for travel and reasonable subsistence for which no payment or reimbursement is made by the State of California.

(5) Participate, by voting or any other action, on the floor of either house, or in committee or elsewhere, in the enactment or defeat of legislation in which he or she has a personal interest, except as follows:

(i) If, on the vote for final passage, by the house of which he or she is a member, of the legislation in which he or she has a personal interest, he or she first files a statement (which shall be entered verbatim in the Daily Journal) stating in substance that he or she has a personal interest in the legislation to be voted on and that, notwithstanding that interest, he or she is able to cast a fair and objective vote on the legislation, he or she may cast his or her vote without violating any provision of this rule.

(ii) If the member believes that, because of his or her personal interest, he or she should abstain from participating in the vote on the legislation, he or she shall so advise the presiding officer prior to the commencement of the vote and shall be excused from voting on the legislation without any entry in the Daily Journal of the fact of his or her personal interest. In the event that a rule of the house requiring that each member who is present vote aye or nay is invoked, the presiding officer shall order the member excused from compliance and shall order entered in the Daily Journal a simple statement that the member was excused from voting on the legislation pursuant to law.

(c) A person subject to this rule has an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if he or she has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity. He or she does not have an interest that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or a personal interest, arising from any situation, within the scope of this rule, if any benefit or detriment accrues to him or her as a member of a business, profession, occupation, or group to no greater extent than any other member of the business, profession, occupation, or group.

(d) A person who is subject to this rule may not be deemed to be engaged in any activity that is in substantial conflict with the proper discharge of his or her duties in the public interest and of his or her responsibilities as prescribed by the laws of this state, or to have a personal interest, arising from any situation, within the scope of this rule, solely by reason of any of the following:

(1) His or her relationship to any potential beneficiary of any situation is one that is defined as a remote interest by Section 1091 of the Government Code or is otherwise not deemed to be a prohibited interest under Section 1091.1 or 1091.5 of the Government Code.

(2) Receipt of a campaign contribution that is regulated, received, reported, and accounted for pursuant to Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code, so long as the contribution is not made on the understanding or agreement, in violation of law, that the person's vote, opinion, judgment, or action will be influenced thereby.

(e) The enumeration in this rule of specific situations or conditions that are deemed not to result in substantial conflict with the proper discharge of the duties and responsibilities of a legislator or legislative employee, or in a personal interest, may not be construed as exclusive.

The Legislature, in adopting this rule, recognizes that Members of the Legislature and legislative employees may need to engage in employment, professional, or business activities other than legislative activities in order to maintain a continuity of professional or business activity, or may need to maintain investments, which activities or investments do not conflict with specific provisions of this rule. However, in construing and administering this rule, weight should be given to any coincidence of income, employment, investment, or other profit from sources that may be identified with the interests represented by those sources that are seeking action of any character on matters then pending before the Legislature.

(f) An employee of either house of the Legislature may not, during the time he or she is so employed, commit any act or engage in any activity prohibited by any part of this rule.

(g) A person may not induce or seek to induce any Member of the Legislature to violate any part of this rule.

(h) A violation of any part of this rule is punishable as provided in Section 8926 of the Government Code.

Ethics Committees

45. The Senate Committee on Legislative Ethics and the Assembly Legislative Ethics Committee, respectively, shall receive complaints concerning members of their respective houses, and may investigate and make findings and recommendations concerning violations by members of their respective houses of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code. Each house shall adopt rules governing the establishment and procedures of the committee of that house.

Designating Legislative Sessions

50. Regular sessions shall be identified with the odd-numbered year subsequent to each general election, followed by a hyphen, and then the last

two digits of the following even-numbered year. For example: 2009–10 Regular Session.

Designating Extraordinary Sessions

50.3. All extraordinary sessions shall be designated in numerical order by the session in which convened.

Days and Dates

50.5. (a) As used in these rules, “day” means a calendar day, unless otherwise specified.

(b) When the date of a deadline, recess requirement, or circumstance falls on a Saturday, Sunday, or Monday that is a holiday, the date shall be deemed to refer to the preceding Friday. When the date falls on a holiday on a weekday other than a Monday, the date shall be deemed to refer to the preceding day.

Legislative Calendar

51. (a) The Legislature shall observe the following calendar during the first year of the regular session:

(1) Organizational Recess—The Legislature shall meet on the first Monday in December following the general election to organize. Thereafter, each house shall be in recess from the time it determines until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(2) Spring Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(3) Summer Recess—The Legislature shall be in recess from July 17 until August 17. This recess shall not commence until the Budget Bill is passed.

(4) Interim Study Recess—The Legislature shall be in recess from September 11 until the first Monday in January, except when the first Monday is January 1 or January 1 is a Sunday, in which case, the following Wednesday.

(b) The Legislature shall observe the following calendar for the remainder of the legislative session:

(1) Spring Recess—The Legislature shall be in recess from the 10th day prior to Easter until the Monday after Easter.

(2) Summer Recess—The Legislature shall be in recess from July 2 until August 2. This recess may not commence until the Budget Bill is passed.

(3) Final Recess—The Legislature shall be in recess on September 1 until adjournment sine die on November 30.

(c) Recesses shall be from the hour of adjournment on the day specified, reconvening at the time designated by the respective houses.

(d) The recesses specified by this rule shall be designated as joint recesses.

Recall From Recess

52. Notwithstanding the power of the Governor to call a special session, the Legislature may be recalled from joint recess and reconvene in regular session by any of the following means:

(a) It may be recalled by joint proclamation, which shall be entered in the Daily Journal, of the Senate Committee on Rules and the Speaker of the Assembly or, in his or her absence from the state, the Assembly Committee on Rules.

(b) Ten or more Members of the Legislature may present a request for recall from joint recess to the Chief Clerk of the Assembly and the Secretary of the Senate. The request immediately shall be printed in the Daily Journal. Within 10 days thereafter, the Speaker of the Assembly or, if the Speaker is absent from the state, the Assembly Committee on Rules, and the Senate Committee on Rules shall act upon the request. If they concur in desiring to recall the Legislature from joint recess, they shall issue their joint proclamation to that effect entered in the Daily Journal no later than 20 days after publication of the request in the Daily Journal.

(c) If either or both of the parties specified in subdivision (b) does not concur, 10 or more Members of the Legislature may request the Chief Clerk of the Assembly or the Secretary of the Senate to petition the membership of the respective house. The petition shall be entered in the Daily Journal and shall contain a specified reconvening date commencing not later than 20 days after the date of the petition. If two-thirds of the members of the house or each of the two houses concur, the Legislature shall reconvene on the date specified. The necessary concurrences must be received at least 10 days prior to the date specified for reconvening.

Procedure on Suspending Rules by Single House

53. Whenever these rules authorize suspension of the Joint Rules as to a particular bill by action of a single house after approval by the Committee on Rules of that house, the following procedure shall be followed:

(a) A written request to suspend the joint rule shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and shall be transmitted to the Committee on Rules of the appropriate house.

(b) The Assembly Committee on Rules or the Senate Committee on Rules, as the case may be, shall determine whether there exists an urgent need for the suspension of the joint rule with regard to the bill.

(c) If the appropriate rules committee recommends that the suspension be permitted, the member may offer a resolution, without further reference thereof to committee, granting permission to suspend the joint rule. The adoption of the resolution granting permission shall require an affirmative recorded vote of the elected members of the house in which the request is made.

Introduction of Bills

54. (a) A bill may not be introduced in the first year of the regular session after February 27 and a bill may not be introduced in the second year of the regular session after February 19. These deadlines do not apply to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in the Assembly with the permission of the Speaker of the Assembly, or bills introduced in the Senate with the permission of the Senate Committee on Rules. Subject to these deadlines, a bill may be introduced at any time except when the houses are in joint summer, interim, or final recess. Each house may provide for introduction of bills during a recess other than a joint recess. Bills shall be numbered consecutively during the regular session.

(b) The Desks of the Senate and Assembly shall remain open during a joint recess, other than a joint spring, summer, interim, or final recess, for the introduction of bills during business hours on Monday through Friday, inclusive, except holidays. Bills received at the Senate Desk during these periods shall be numbered and printed. After printing, the bills shall be delivered to the Secretary of the Senate and referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly Desk during these periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, the bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A member may not author a bill during a session that would have substantially the same effect as a bill he or she previously introduced during that session. This restriction does not apply in cases where the previously introduced bill was vetoed by the Governor or its provisions were “chaptered out” by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection based on this restriction may be raised only while the bill is being considered by the house in which it is introduced. The objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on the Daily File or with a committee, as the case may be, until a determination is made. If, upon consideration of the objection,

the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the Daily File or returned to the desk by the committee, as the case may be, and may not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill.

This joint rule may be suspended by approval of the Committee on Rules and three-fourths vote of the membership of the house.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

- (1) The Speaker of the Assembly.
- (2) The Committee on Rules of the respective house.
- (3) A committee, with respect to bills within the subject matter jurisdiction of the committee.

Preprint bills shall be designated and shall be printed in the order received and numbered in the order printed. To facilitate subsequent amendment, a preprint bill shall be so prepared that, when introduced as a bill, the page and the line numbers will not change. The Chief Clerk of the Assembly and Secretary of the Senate shall publish a list periodically of preprint bills showing the preprint bill number, the title, and the Legislative Counsel's Digest. The Speaker of the Assembly and Senate Committee on Rules may refer any preprint bill to committee for study.

30-Day Waiting Period

55. A bill other than the Budget Bill may not be heard or acted upon by committee or either house until the bill has been in print for 30 days. The date a bill is returned from the printer shall be entered in the Daily History. This rule may be suspended concurrently with the suspension of the requirement of Section 8 of Article IV of the Constitution or, if that period has expired, this rule may be suspended by approval of the Committee on Rules and two-thirds vote of the house in which the bill is being considered.

Return of Bills

56. Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline are

“carryover bills.” Immediately after January 31, bills introduced in the first year of the regular session that do not become “carryover bills” shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate, respectively. Notwithstanding Rule 4, as used in this rule “bills” does not include constitutional amendments.

Appropriation Bills

57. Appropriation bills that may not be sent to the Governor shall be held, after enrollment, by the Chief Clerk of the Assembly or Secretary of the Senate, respectively. The bills shall be sent to the Governor immediately after the Budget Bill has been enacted.

Urgency Clauses

58. An amendment to add a section to a bill to provide that the act shall take effect immediately as an urgency statute may not be adopted unless the author of the amendment has first secured the approval of the Committee on Rules of the house in which the amendments are offered.

Veto

58.5. The Legislature may consider a Governor’s veto for only 60 days, not counting days when the Legislature is in joint recess.

Publications

59. During periods of joint recess, weekly, if necessary, the following documents shall be published: Daily Files, Histories, and Daily Journals.

Committee Hearings

60. (a) A standing committee or subcommittee thereof may not take action on a bill at any hearing held outside of the State Capitol.

(b) A committee may hear the subject matter of a bill or convene for an informational hearing during a period of recess. Four days’ notice in the Daily File is required prior to the hearing.

(c) A bill may not be acted upon by a committee during a joint recess.

Deadlines

61. The deadlines set forth in this rule shall be observed by the Senate and Assembly. After each deadline, the Secretary of the Senate and the Chief Clerk of the Assembly may not accept committee reports from their respective committees except as otherwise provided in this rule:

(a) Odd-numbered year:

(1) Feb. 27—Last day for bills to be introduced.

(2) May 1—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

(3) May 15—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.

(4) May 22—Last day for policy committees to meet prior to June 8.

(5) May 29—Last day for fiscal committees to hear and report to the floor bills introduced in their house.

(6) May 29—Last day for fiscal committees to meet prior to June 8.

(7) June 1-June 5—Floor session only. No committee may meet for any purpose.

(8) June 5—Last day for each house to pass bills introduced in that house.

(9) June 8—Committee meetings may resume.

(10) July 10—Last day for policy committees to meet and report bills.

(11) Aug. 28—Last day for fiscal committees to meet and report bills.

(12) Aug. 31-Sept. 11—Floor session only. No committee may meet for any purpose.

(13) Sept. 4—Last day to amend on the floor.

(14) Sept. 11—Last day for each house to pass bills.

(b) Even-numbered year:

(1) Jan. 15—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.

(2) Jan. 22—Last day for any committee to hear and report to the floor bills introduced in that house in the odd-numbered year.

(3) Jan. 31—Last day for each house to pass bills introduced in that house in the odd-numbered year.

(4) Feb. 19—Last day for bills to be introduced.

(5) April 23—Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

(6) May 7—Last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house.

(7) May 14—Last day for policy committees to meet prior to June 7.

(8) May 28—Last day for fiscal committees to hear and report to the floor bills introduced in their house.

(9) May 28—Last day for fiscal committees to meet prior to June 7.

(10) June 1-June 4—Floor session only. No committee may meet for any purpose.

(11) June 4—Last day for each house to pass bills introduced in that house.

(12) June 7—Committee meetings may resume.

(13) July 2—Last day for policy committees to meet and report bills.

(14) Aug. 13—Last day for fiscal committees to meet and report bills.

(15) Aug. 16-Aug. 31—Floor session only. No committee may meet for any purpose.

(16) Aug. 20—Last day to amend on floor.

(17) Aug. 31—Last day for each house to pass bills.

(c) If a bill is acted upon in committee before the relevant deadline, and the committee votes to report the bill out with amendments that have not at the time of the vote been prepared by the Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may subsequently receive a report recommending the bill for passage or for rereferral together with the amendments at any time within two legislative days after the deadline or, if the Legislature has recessed for the Summer Recess, within seven calendar days after the deadline.

(d) Notwithstanding subdivisions (a) and (b), a policy committee may report a bill to a fiscal committee on or before the relevant deadline for reporting nonfiscal bills to the floor if, after the policy committee deadline for reporting the bill to fiscal committee, the Legislative Counsel's Digest is changed to indicate reference to fiscal committee.

(e) Any bill in the house of origin that is not acted upon during the odd-numbered year as a result of the deadlines imposed in subdivision (a) may be acted upon when the Legislature reconvenes after the interim study joint recess, or at any time the Legislature is recalled from the interim study joint recess.

(f) The deadlines imposed by this rule do not apply to the rules committees of the respective houses.

(g) The deadlines imposed by this rule do not apply in instances where a bill is referred to committee under Rule 26.5.

(h) The deadlines imposed by this rule do not apply in instances where a bill is referred to a committee under Assembly Rule 77.2.

(i) (1) Notwithstanding subdivisions (a) and (b), a policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time other than those periods when no committee may meet for any purpose.

(2) Notwithstanding subdivisions (a) and (b), either house may meet for the purpose of considering and passing a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time during the session.

(j) This rule may be suspended as to any particular bill by approval of the Committee on Rules and two-thirds vote of the membership of the house.

Committee Procedure

62. (a) Notice of a hearing on a bill by the committee of first reference in each house, or notice of an informational hearing, shall be published in the Daily File at least four days prior to the hearing. Otherwise, notice shall be published in the Daily File two days prior to the hearing. That notice requirement may be waived by a majority vote of the house in which the bill is being considered. A bill may be set for hearing in a committee only three times. A bill is “set,” for purposes of this subdivision, whenever notice of the hearing has been published in the Daily File for one or more days. If a bill is set for hearing, and the committee, on its own initiation and not the author’s, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, that hearing is not counted as one of the three times a bill may be set. After hearing the bill, the committee may vote on the bill. If the hearing notice in the Daily File specifically indicates that “testimony only” will be taken, that hearing is not counted as one of the three times a bill may be set. A committee may not vote on a bill so noticed until it has been heard in accordance with this rule. After a committee has voted on a bill, reconsideration may be granted only one time. Reconsideration may be granted within 15 legislative days or prior to the interim study joint recess, whichever first occurs. A vote on reconsideration may not be taken without the same notice required to set a bill unless that vote is taken at the same meeting at which the vote to be reconsidered was taken, and the author is present. When a bill fails to get the necessary votes to pass it out of committee, or upon failure to receive reconsideration, it shall be returned to the Chief Clerk of the Assembly or Secretary of the Senate of the house of the committee and may not be considered further during the session.

This subdivision may be suspended with respect to a particular bill by approval of the Committee on Rules and two-thirds vote of the members of the house.

(b) If the committee adopts amendments other than those offered by the author and orders the bill reprinted prior to its further consideration, the hearing shall not be the final time a bill may be set under subdivision (a) of this rule.

(c) When a standing committee takes action on a bill, the vote shall be by rollcall vote only. All rollcall votes taken by a standing committee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly and the Secretary of the Senate. The chairman or chairwoman of each standing committee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly or the Secretary of the Senate, respectively, who shall cause the votes to be published as prescribed by each house.

This subdivision also applies to action of a committee on a subcommittee report. The rules of each house shall prescribe the procedure as to rollcall votes on amendments.

Any committee may, with the unanimous consent of the members present, substitute a rollcall from a prior bill, provided that the members whose votes are substituted are present at the time of the substitution.

A bill may not be passed out by a committee without a quorum being present.

This subdivision does not apply to:

(1) Procedural motions that do not have the effect of disposing of a bill.
(2) Withdrawal of a bill from a committee calendar at the request of an author.

(3) Return of a bill to the house where the bill has not been voted on by the committee.

(4) The assignment of a bill to committee.

(d) The chairman or chairwoman of the committee hearing a bill may, at any time, order a call of the committee. Upon a request by any member of a committee or the author in person, the chairman or chairwoman shall order the call.

In the absence of a quorum, a majority of the members present may order a quorum call of the committee and compel the attendance of absentees. The chairman or chairwoman shall send the Sergeant at Arms for those members who are absent and not excused by their respective house.

When a call of a committee is ordered by the chairman or chairwoman with respect to a particular bill, he or she shall send the Sergeant at Arms, or any other person to be appointed for that purpose, for those members who have not voted on that particular bill and are not excused.

A quorum call or a call of the committee with respect to a particular bill may be dispensed with by the chairman or chairwoman without objection by any member of the committee, or by a majority of the members present.

If a motion is adopted to adjourn the committee while the committee is operating under a call, the call shall be dispensed with and any pending vote announced.

The committee secretary shall record the votes of members answering a call. The rules of each house may prescribe additional procedures for a call of a committee.

Redistricting Bills

62.5. This rule applies only to bills affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(a) Except as specifically provided in this rule, Rules 28, 28.1, 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of subdivision (a), and paragraph (15) of subdivision (b), of Rule 61), and 62 do not apply to bills

affecting the boundaries of legislative, congressional, or State Board of Equalization districts.

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party and one member not of the majority party. The Secretary of the Senate and the Chief Clerk of the Assembly shall immediately notify the other house of the action taken.

(c) When a bill affecting the boundaries of legislative, congressional, or State Board of Equalization districts has been referred to a committee on conference, the chairman or chairwoman of the committee on conference shall immediately request the Senate Committee on Elections and Reapportionment and the Assembly Committee on Elections, Reapportionment, and Constitutional Amendments to hold a public hearing on the bill. The committee on conference shall also hold a public hearing on the bill. The hearings of the policy committees and the committee on conference may be noticed and held concurrently.

(d) If either or both of the policy committees hold a public hearing on a bill pursuant to the request of the chairman or chairwoman of the committee on conference, the policy committees may consider amendments to the bill, and may make recommendations on amendments to the committee on conference. A policy committee recommendation for an amendment may be adopted only by a rollcall vote of the members of the policy committee.

(e) All proposed reports of a committee on conference, all proposed amendments to a proposed report of a committee on conference, and all proposed amendments presented to a policy committee shall be accompanied by appropriate maps. A committee vote may not be taken on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the proposed report or proposed amendment, with accompanying maps, has been available to the public for at least 24 hours. Notwithstanding subdivision (h), district boundaries contained in any proposed report or any proposed amendment may not be required to be prepared or approved as to form by Legislative Counsel if the accompanying maps adequately reflect the district boundaries.

(f) All hearings of the policy committees and the committee on conference shall be open and readily accessible to the public, and shall be noticed in the Daily File for not less than two calendar days.

(g) The provisions of subdivision (e) prohibiting a committee vote on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the amendment, accompanied by appropriate maps, has been available to the public for at least 24 hours do not apply in any of the following situations:

(1) The amendment proposed to a policy committee or the committee on conference does not change any district boundaries.

(2) The amendment proposed to a policy committee or the committee on conference is required to correct a technical error in the bill, and the proposed amendment would shift no more than 1 percent of the population of any district to any other district or districts.

(3) The amendment is a policy committee or committee on conference amendment that is proposed in response to amendments that have been proposed to the committee.

(h) Except as provided in subdivision (i), a vote may not be taken in either house on any bill or any report of the committee on conference on that bill unless the bill or the report has been in print in Legislative Counsel form and available to the public, accompanied by appropriate maps, for at least 24 hours.

(i) If either house refuses to adopt the report of the committee on conference, the bill may be returned to the committee on conference for further consideration. If the bill is returned to the committee on conference for an amendment described in paragraph (1) or (2) of subdivision (g), the notice requirements of subdivisions (e) and (h) do not apply.

(j) Notwithstanding any other rule, this rule may be suspended upon a majority vote of the membership of each house.

Uniform Rules

63. A standing committee of either house may not adopt or apply any rule or procedure governing the voting upon bills that is not equally applicable to the bills of both houses.

Votes on Bills

64. Every meeting of each house and standing committee or subcommittee thereof where a vote is to be taken on a bill, or amendments to a bill, shall be public.

Conflicting Rules

65. The provisions of Rule 50 and following of these rules prevail over any conflicting joint rule with a lesser number.

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